DETERMINATIONS OF NO JUSRIDCTION FOR ISOLATED, NON NAVIGALBE, INTRASTATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGANCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE:

Galveston District

FILE NUMBER:

I-5334

REGULATORY PROJECT MANAGER:

John Davidson

Date:29 June 2006

PROJECT REVIEW/DETERMINATION COMPLETED: In the office: Y(Y/N)

Date:29 June 2006

At the project Site: N(Y/N)

PROJECT LOCATION INFORMATION:

State: County: <u>Texas</u> Tyler

Center Coordinates of Site by Latitude & Longitude Coordinates Approximate Size of Site/Property (Including Uplands & in Acres) 30-37-30.1287 N; 94-25-21.4300 W

Name of Waterway or Watershed

3.75 acres Neches River

SITE CONDITIONS:

Type of Aquatic	0-1 ac	1-3 ac	3-5 ac	5-10	10-25	25-50 -	> 50	Linear	Unknown
Resources ¹				ac	ac	ac	ac	Feet	
Lake									
River									
Stream									
Dry Wash									
Mud Flat									
Sand Flat									
Wetlands	X								
Slough									
Prairie Pothole									
Wet Meadow			•						
Playa Lake									
Vernal Pool									
Natural Pond									
Other Water (Identify									
Type)									

¹Check appropriate boxes that best describe type of isolated, non-navigable, intrastate water present and best estimate for size for non-jurisdictional aquatic resource area.

3	/ lf-Kn	own	If Unknown Use Best Professional Judgment						
Migratory Bird Rule Factors ²	Ŷes	No :	Predicted to Occur	Not Expected to Occur	Not able to Make Determination				
Is or would be used as habitat by birds protected by Migratory Bird Treaties?	7,100,000		X						
Is or would be used as habitat by other migratory birds that cross state lines?			х						
Is or would be used as habitat for endangered species?					X				
Is used to irrigate crops sold in interstate commerce				X					

²Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resources area.

TYPE OF DETERMINATION:

PRELIMINARY or APPROVED X

ADDITIONAL INFORMATION SUPPORTING NJD: The tract contained a wetland with no direct hydrologic surface connection to a water of the United States. Therefore the wetland is isolated with no known nexus to interstate commerce and therefore, is not a water of the United States.

DETERMINATIONS OF NO JUSRIDCTION FOR ISOLATED, NON NAVIGALBE, INTRASTATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGANCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE:

CESWG

FILE NUMBER:

D-16194/(01)

REGULATORY PROJECT MANAGER:

Chris Wrbas

Date: 15 Aug 2006

PROJECT REVIEW/DETERMINATION COMPLETED: In the office: Y(Y/N)

Date: 15 Aug 2006

At the project Site: Y(Y/N)

Date: 15 Aug 2006

PROJECT LOCATION INFORMATION:

State: County: <u>Texas</u> **Brazoria**

Center Coordinates of Site by Latitude & Longitude Coordinates Approximate Size of Site/Property (Including Uplands & in Acres) 29° 31' 20"N, 95° 14' 38"W

Name of Waterway or Watershed

N/A Cowart Creek

SITE CONDITIONS:

Type of Aquatic	0-1 ac	1-3 ac	3-5 ac	5-10	10-25	25-50	> 50	Linear	Unknown
Resources ¹				ac	ac	ac	ac	Feet	
Lake									
River									
Stream									
Dry Wash									
Mud Flat									
Sand Flat]
Wetlands									X
Slough									
Prairie Pothole									
Wet Meadow									
Playa Lake									
Vernal Pool									
Natural Pond									
Other Water (Identify								_	
Type)									

Check appropriate boxes that best describe type of isolated, non-navigable, intrastate water present and best estimate for size for nonjurisdictional aquatic resource area.

2	If Kı	nown	If Unknown Use Best Professional Judgment					
Migratory Bird Rule Factors ²	Yes	No	Predicted to Occur	Not Expected to Occur	Not able to Make Determination			
Is or would be used as habitat by birds protected by Migratory Bird Treaties?					X			
Is or would be used as habitat by other migratory birds that cross state lines?					X			
Is or would be used as habitat for endangered species?					X			
Is used to irrigate crops sold in interstate commerce					X			

² Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resources area.

TYPE OF DETERMINATION:

PRELIMINARY X or APPROVED

ADDITIONAL INFORMATION SUPPORTING NJD: The presence of wetland areas that meet the three criteria (hydrophytic vegetation, wetland hydrology, and hydric soils) of a wetland as outlined in the Corps of Engineers D-14194 (01)

1987 Wetland Delineation Manual are considered isolated, since there are no direct connections to navigable waters of the United States. In addition, the wetlands do not sustain a nexus to interstate commerce and are located outside of the 100-year floodplain of any nearby waterway.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

CESWG

FILE NUMBER:			_	D-17426	<u> </u>				
REGULATORY PROJECT	MANAGE	R:	_	John W	ong		1	Date: <u>6 Ju</u>	ly 2006
PROJECT REVIEW/DETE	RMINATIO	ON COM	PLETEI			e <u>Y</u> (Y/N) ect site <u>Y</u>	Date: <u>6 J</u>	July 2006 Date: 24 A	nr 2006
PROJECT LOCATION INF	ORMATIC	ON:			, p,				
State:						7	Texas		
County:						****	Nueces		
Center coordinates	of site by la	atitude &	longitud	inal coord	inates:		27-44-42/97-0	7-35	
Approximate size o							60 acres		
Name of waterway					,		Gulf of Mexico	,	•
SITE CONDITIONS:									
Type of aquatic resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25	ac 25-50 ac	> 50 ac	Linear feet	Unknown
Lake		_							_
River									
Stream	_								
Dry Wash	_								_
Mudflat								-	
Sandflat				 					
Wetlands				X					
Slough									
Prairie pothole		_							
Wet meadow			ļ		_				_
Playa lake								-	
Vernal pool	_	-							
Natural pond								+	
Other water (identify type)	_								
¹ Check appropriate boxes that b jurisdictional aquatic resource a		type of iso	olated, non	-navigable,	intra-state	water present	and best estima	ate for size	of non-
Two plants and				1617			VC VI		
Migratory Bird Rule Factors1:				If Kn	U W II		II Un Use Best Profes	known sional Juda	ment
			-	Yes	No	Predicted	Not Expected		t Able To Make
				i es	140	to Occur	Occur		Determination
Is or would be used as habitat fo				X	Occur				
Migratory Bird Treaties?	, on as proc	ctica by				,			
	Is or would be used as habitat by other migratory birds that							-	
cross state lines?	, omer migr	J Dil G				X			
Is or would be used as habitat for	or endangere	d species?					X		
Is used to irrigate crops sold in i					X				
¹Check appropriate boxes that b	est describe	potential	for applica	bility of the	Migrator	y Bird Rule to	apply to onsite,	non-jurisd	ictional, isolated,

TYPE OF DETERMINATION:

non-navigable, intra-state aquatic resource area.

DISTRICT OFFICE:

Preliminary	Or	Approved _	<u>X</u> _

OPITIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., discussion may include information reviewed to assess potential navigation or interstate commerce connections - 1 to 3 paragraphs): Dune barrier and development between wetland and Gulf of Mexico. Numerous barriers to Corpus Christi Bay.

DETERMINATIONS OF NO JUSRIDCTION FOR ISOLATED, NON NAVIGALBE, INTRASTATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGANCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE:

CESWG

FILE NUMBER:

D-18345

REGULATORY PROJECT MANAGER:

Doug Boren

Date: 11 August

2006

PROJECT REVIEW/DETERMINATION COMPLETED: In the office: Y(Y/N)

Date: 11 August 2006 At the project Site: Y(Y/N)

Date:08 August 2006

PROJECT LOCATION INFORMATION:

State:

County: Center Coordinates of Site by Latitude & Longitude Coordinates

Approximate Size of Site/Property (Including Uplands & in Acres)

Name of Waterway or Watershed

Texas

Montgomery 30° 22' 02"N, 95° 25' 12"W (NAD83)

65 acres

West Fork San Jacinto

SITE CONDITIONS:

Type of Aquatic Resources	0-1 ac	1-3 ac	3-5 ac	5-10	10-25	25-50	> 50	Linear	Unknown
Resources ¹				ac	ac	ac	ac	Feet	y Pak See
Lake									
River									
Stream				-					
Dry Wash			-						
Mud Flat									
Sand Flat									
Wetlands	X								
Slough									
Prairie Pothole		_							
Wet Meadow									
Playa Lake									-
Vernal Pool									
Natural Pond									
Other Water (Identify									
Type)									

¹Check appropriate boxes that best describe type of isolated, non-navigable, intrastate water present and best estimate for size for noniurisdictional aquatic resource area.

Migratory Bird Rule Factors ²	İfKı	10 W 11	If Unknown Use Best Professional Judgment					
Migrauty Ditt Rule Pactors	Yes	No	Predicted to Occur	Not Expected to . Occur	Not able to Make Determination			
Is or would be used as habitat by birds protected by Migratory Bird Treaties?					X			
Is or would be used as habitat by other migratory birds that cross state lines?					Х			
Is or would be used as habitat for endangered species?					X			
Is used to irrigate crops sold in interstate commerce					Х			

² Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resources area.

TYPE OF DETERMINATION:

PRELIMINARY X or APPROVED _

ADDITIONAL INFORMATION SUPPORTING NJD: Attached

- 1. D-18345, Montgomery County, Jurisdictional Delineation Verification for Proposed FM 1484 Re-Route from Loop 336 to FM 2432 in Conroe, Montgomery County, Texas.
- 2. There are two isolated wetland areas located on the reviewed tract of land. The wetlands are small, approximately 0.02 acre, depressional areas on the tract of land. The wetland areas do not have a direct hydrologic connection to the surface tributary system. The wetland areas are located outside of the 100-year floodplain of the creek. The wetlands do not have a nexus to interstate or foreign commerce.
- 3. This is a preliminary jurisdictional determination.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE:	GALVEST	ON				-			
FILE NUMBER:	D18393					-			
REGULATORY PROJECT MA	NAGER:	Johnson				-	Date:		7/11/2006
PROJECT REVIEW/DETERMI	NATION CO	MPLETED	DESK YES At the Project	YES	(Y/N) (Y/N)		Date: Date:		7/11/2006 4/27/2006
PROJECT LOCATION INFORI State: County: Center Coordinates of S Approximate Size of Si Name of Waterway or V	Site by Lati te/Property						Texas Harris 29° 59' 54' Little Cypr	"N, 95° 40' 09' ess Creek	'W
Type of Aquatic Resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	>50 ac	Linear Feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mud Flat									
Sand Flat									
Wetlands			XXXXXXX						
Slough									
Prairie Pothole									
Wet Meadow									
Playa Lake									
Vernal Pool									
Natural Pond									
Other Water (Identify Type)									
¹ Check appropriate boxes th	at host dos	cribe type (of isolated	non-navio	able intra-	state water	nresent a	nd best	
estimate for size for non-ju					abio, initia		-11 - 14 tr		
Migratory Bird Rule Factors ¹ :					nown			f Unknown	
migratory bird Rule i actors :	•					1	Jse Best P	rofessional J	udgment
						Predicted		pected to	Not Able to Make
				Yes	Na	to Occur		Occur	Determination
Is or would be used as habita	t for birds	protected b	у						
Migratory Bird Treaties?									XXX
Is or would be used as habita	at by other r	nigratory b	irds that						
cross state lines?									XXX
Is or would be used as habita	at for endan	gered spec	ies?						XXX
Is used to irrigate crops sold									XXX
¹ Check appropriate boxes th isolated, non-navigable, intra		-		licability o	f the Migra	tory Bird R	tule to app	ly to onsite, n	on-jurisdictional,
TYPE OF DETERMINATION:				Prelimina	rv	or	Approved	xxxx	

OPTIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., discussion may include information reviewed to assess potential navigation or interstate commerce connections - 1 to 3 paragraphs): Isolated wetlands with no known nexus to interstate commerce.

	INFORMATION TIONS OF NO JURISDICTION FOR ISOLAT ROM U.S. SUPREME COURT DECISION IN COUNTY V. U.S. ARMY COF	ED, NON-NAVIO	AGENCY OF NORTHERN	
INFORMATION SHEET DISTRICT OFFICE:	GALVESTON		LINO	
FILE NUMBER:	D18528			
REGULATORY PROJECT MA	NAGER: Johnson		Date:	8/23/2006
PROJECT REVIEW/DETERMI	NATION COMPLETED: DESK YES At the Project Site	(Y/N) (Y/N)	Date:	8/23/2006
	Site by Latitude & Longitudinal Coordinate te/Property (Including Uplands & In Acres)		Texas Harris 29° 37' 16"N, 95° 2' Sims Bayou	9' 05 " W 295
SITE CONDITIONS:				

SITE CONDITIO

Type of Aquatic Resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	>50 ac	Linear Feet	Unknown
Lake									
River						_			
Stream									
Dry Wash									
Mud Flat									
Sand Flat									
Wetlands	XXXXX								
Slough									
Prairie Pothole					101 6				
Wet Meadow									
Playa Lake							_		
Vernal Pool									
Natural Pond									
Other Water (Identify Type)			_				-		_
¹ Check appropriate boxes th	at best desc	ribe type o	of isolated.	non-naviga	able, intra-	state water	present ar	d best	

estimate for size for non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ¹ :	If Kr	iown	If Unknown				
		Use Best Professional Judgment					
	Yes	No	Predicted	Not Expected to	Not Able to Make		
	163		to Occur	Occur	Determination		
Is or would be used as habitat for birds protected by							
Migratory Bird Treaties?					XXX		
Is or would be used as habitat by other migratory birds that							
cross state lines?					XXX		
Is or would be used as habitat for endangered species?			_		XXX		
Is used to irrigate crops sold in interstate commerce?		·			XXX		

¹ Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

TYPE OF DETERMINATION:	Preliminary	or	Approved XXXX
= 0. ==. =		•	Tippiorea roout

OPTIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., discussion may include information reviewed to assess potential navigation or interstate commerce connections - 1 to 3 paragraphs): Isolated wetlands with no known nexus to interstate commerce.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE:					n District						
FILE NUMBER:				D-18592							
REGULATORY PROJECT M				Mark Pat	-		ate: 1	3 Septem	ber 2006	ı	
PROJECT REVIEW/DETER	MINATIO	ON COM	IPLETI		•	-			Septem	ber 2006	6
PROJECT LOCATION INFO	RMATIO	ON:		At pro	oject site (Y	//N): N	1	Date:			
State:						Т	`exas				
County:						Α	ransa	ıs			
Center coordinates o			_			2	8-03-	40 E; 97-0	04-09 N		
Approximate size of	site/prope	erty (incl	uding u	plands & i	in acres):		53 ac				
Name of waterway or	r watersh	ed:				Α	ransa	as Bay			
SITE CONDITIONS:											
Type of aquatic resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 a	c 10-25	ac 25-	50 ac	> 50 ac	Lines feet	ır Uı	nknown
Lake		\boxtimes]
River											
Stream							_				Ī —
Dry Wash	Ī	Ī		一百		<u></u>					- -
Mudflat	1 			- 							1
Sandflat		П	177	ᅥᆖ	<u> </u>	- ⊢		╅┪			-
Wetlands	 	 		ᅥᅟᆖ	一一			╅╄	+	 =	
Slough			 		ᅥᆏ			 	_		-
Prairie pothole			╁╒╅╌			 		 	+	- 	
Wet meadow	一 一	16	17	一一				十一	+		-
Playa lake	 - 	一 一		一百	一一一						-
Vernal pool	┼≓ -	│	177	一一				╅	_	- -	-
Natural pond	╁Ħ	† 		⊣				一百	_		ĭ
Other water (identify type)	╁Ħ		十二	$\dashv =$				│			- -
stock tank			—				•			-	•
¹Check appropriate boxes that bes	t describe	tuna of in	loted =	n novigabl	la intra atat			and been setting	mata for si	70 of 707	
jurisdictional aquatic resource are			лацец, по	m-navigau	e, intra-stati	water pro		ind best estil	mate for si	Ze of non-	
Migratory Bird Rule Factors ¹ :				If k		T		If I	nknown		
mgratory bird Rule Factors .				""	L HOW II		U	se Best Prof		udgment	
				Yes	No	Predict to Occ		Not Expect Occur		Not Able Determ	
Is or would be used as habitat for Migratory Bird Treaties?	birds prote	ected by					-			3	
Is or would be used as habitat by cross state lines?	other migr	atory bird	ls that							₫	
Is or would be used as habitat for	endangere	d species?	,	tn		\vdash		П		₫	
Is used to irrigate crops sold in int				1 7						₹	
¹ Check appropriate boxes that bes non-navigable, intra-state aquatic			for appli	cability of	the Migrator	y Bird Ru	le to a	pply to onsit			l, isolated,
TYPE OF DETERMINATION	N:	P	relimin	ary 🔲 🔞	or Approv	ved 🛚					
ADDITIONAL INFORMATION	ON CURR	ODTIN	T N ID								
ADDITIONAL INFORMATION 1. Site/Environmental Condit			,		: onal Water	Feature			6.99 ac	res	
1. Site Environmental Condit					ff of projec		/ / N		N		
					fill entire w			Y / N	Y		
			-	_	etermined l				5		
				ormation					-		
2 Pationals for determination	n includ:	na inform	nation -	avioused 4	n geegee not	antial nav	vianti	on or inter	state com	marca	
2. Rationale for determination connections: Four isolated, n											

3. Do waters of the U.S. exist on the site? Y/N N If Yes, approximate size of jurisdictional water(s):

stock tank excavated from uplands.

DETERMINATIONS OF NO JUSRIDCTION FOR ISOLATED, NON NAVIGALBE, INTRASTATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGANCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE:

CESWG

FILE NUMBER:

D-18673

REGULATORY PROJECT MANAGER:

Doug Boren

Date: 22 August

<u>2006</u>

PROJECT REVIEW/DETERMINATION COMPLETED: In the office: Y(Y/N)

Date: 22 August 2006

At the project Site: Y(Y/N)

Date: 21 August 2006

PROJECT LOCATION INFORMATION:

State:

County:

<u>Texas</u> <u>Harris</u>

Center Coordinates of Site by Latitude & Longitude Coordinates

29° 32' 30"N, 95° 09' 22"W (NAD83)

Approximate Size of Site/Property (Including Uplands & in Acres)

300 acres

Name of Waterway or Watershed

North Galveston Bay

SITE CONDITIONS:

Type of Aquatic	0-1 ac	1-3 ac	3-5 ac	5-10	10-25	25-50	> 50	Linear	Unknown
Resources ¹				ac	ac	ac	ac	Feet	
Lake									
River									
Stream									
Dry Wash									
Mud Flat									
Sand Flat									1
Wetlands					Х				
Slough									
Prairie Pothole									
Wet Meadow									
Playa Lake									
Vernal Pool									
Natural Pond									
Other Water (Identify									
Type)									

Check appropriate boxes that best describe type of isolated, non-navigable, intrastate water present and best estimate for size for non-

jurisdictional aquatic resource area.

Missature Died Dule France ²	If Kı	nown	If Unknown Use Best Professional Judgment				
Migratory Bird Rule Factors ²	Yes	No	Predicted to Occur	Not Expected to Occur	Not able to Make Determination		
Is or would be used as habitat by birds protected by Migratory Bird Treaties?					Х		
Is or would be used as habitat by other migratory birds that cross state lines?					X		
Is or would be used as habitat for endangered species?					Х		
Is used to irrigate crops sold in interstate commerce					X		

² Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resources area.

TYPE OF DETERMINATION:

PRELIMINARY X or APPROVED _

ADDITIONAL INFORMATION SUPPORTING NJD:Attached

- 1. D-18673, CDC Houston, Inc., Jurisdictional Determination for 300-Acre Tract, West of Interstate 45 and between El Dorado and Bay Area Boulevard, Harris County, Texas.
- 2. There appear to be isolated wetland areas located on the reviewed tract of land. The areas are depressional areas on the tract of land. The areas can be seen on the historic topographic maps as well as the aerial photography. The wetland areas do not have a direct hydrologic connection to the surface tributary system. The wetland areas are located outside of the 100-year floodplain. The wetlands do not have a nexus to interstate or foreign commerce.
- 3. This is a preliminary jurisdictional determination.

DETERMINATIONS OF NO JUSRIDCTION FOR ISOLATED, NON NAVIGALBE, INTRASTATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGANCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE:

CESWG

FILE NUMBER:

D-18710

REGULATORY PROJECT MANAGER:

Doug Boren

Date: 12 July 2006

PROJECT REVIEW/DETERMINATION COMPLETED: In the office: Y(Y/N)

Date: 12 July 2006 At the project Site: Y(Y/N)

Date: 29 June 2006

PROJECT LOCATION INFORMATION:

State: County:

Center Coordinates of Site by Latitude & Longitude Coordinates

Approximate Size of Site/Property (Including Uplands & in Acres)

Name of Waterway or Watershed

<u>Texas</u>

Montgomery

30° 18' 05"N, 95° 25' 20"W (NAD83)

216 acres

West Fork San Jacinto

SITE CONDITIONS:

Type of Aquatic	0-1 ac	1-3 ac	3-5 ac	5-10	10-25	25-50	> 50	Linear	Unknown
Resources ¹				ac	ac	ac	ac	Feet	
Lake									
River									
Stream									
Dry Wash									
Mud Flat									_
Sand Flat									
Wetlands	X								
Slough									
Prairie Pothole									
Wet Meadow									
Playa Lake									
Vernal Pool									
Natural Pond									
Other Water (Identify									
Type)									

Check appropriate boxes that best describe type of isolated, non-navigable, intrastate water present and best estimate for size for nonjurisdictional aquatic resource area.

Microstom, Dind Dula Factour ²	If Known		If Unknown Use Best Professional Judgment				
Migratory Bird Rule Factors ²	Yes	No	Predicted to Occur	Not Expected to Occur	Not able to Make Determination		
Is or would be used as habitat by birds protected by Migratory Bird Treaties?					X		
Is or would be used as habitat by other migratory birds that cross state lines?					X		
Is or would be used as habitat for endangered species?					X		
Is used to irrigate crops sold in interstate commerce					X		

²Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resources area.

TYPE OF DETERMINATION:

PRELIMINARY _ or APPROVED X

ADDITIONAL INFORMATION SUPPORTING NJD: Attached

- 1. D-18710; Friendswood Development Company, Jurisdictional Delineation Verification of a 216-Acre Tract, Montgomery County, Texas.
- 2. There are two isolated wetland areas located on the reviewed tract of land. The wetlands are small, 0.053 acre, depressional areas on the tract of land. The wetland areas do not have a direct hydrologic connection to Little Caney Creek or any of its tributaries. The wetland areas are located outside of the 100-year floodplain of the creek. The wetlands do not have a nexus to interstate or foreign commerce.
- 3. This is an approved jurisdictional determination.

DETERMINATIONS OF NO JUSRIDCTION FOR ISOLATED, NON NAVIGALBE, INTRASTATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGANCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE:

CESWG

FILE NUMBER:

D-18714

REGULATORY PROJECT MANAGER:

Doug Boren

Date: 01 September

<u>2006</u>

PROJECT REVIEW/DETERMINATION COMPLETED: In the office: Y(Y/N)

At the project Site: Y(Y/N)

Date: 01 September 2006

Date:31 August 2006

PROJECT LOCATION INFORMATION:

State:

County:

Center Coordinates of Site by Latitude & Longitude Coordinates

Approximate Size of Site/Property (Including Uplands & in Acres)

Name of Waterway or Watershed

Texas <u>Jefferson</u>

29° 57' 57"N, 93° 53' 07"W (NAD83)

6.0

Lower Neches

SITE CONDITIONS:

Type of Aquatic	0-1 ac	1-3 ac	3-5 ac	5-10	10-25	25-50	> 50	Linear	Unknown
Resources ¹				ac	ac	ac	ac	Feet	
Lake									
River									
Stream									
Dry Wash									
Mud Flat									
Sand Flat									1
Wetlands				X					
Slough				-					
Prairie Pothole									
Wet Meadow		_							
Playa Lake									
Vernal Pool									
Natural Pond									
Other Water (Identify									
Type)									

¹Check appropriate boxes that best describe type of isolated, non-navigable, intrastate water present and best estimate for size for non-

jurisdictional aquatic resource area.

Julisaletional addatic resource area.			1				
Migratory Bird Rule Factors ²	If Known		If Unknown Use Best Professional Judgment				
	Yes	No	Predicted to Occur	Not Expected to Occur	Not able to Make Determination		
Is or would be used as habitat by birds protected by Migratory Bird Treaties?					X		
Is or would be used as habitat by other migratory birds that cross state lines?					X		
Is or would be used as habitat for endangered species?					X		
Is used to irrigate crops sold in interstate commerce					X		

²Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resources area

TYPE OF DETERMINATION:

PRELIMINARY or APPROVED X

ADDITIONAL INFORMATION SUPPORTING NJD: Attached

- 1. D-18714, Total Petrochemicals USA, Inc., Jurisdictional Determination for a 6-Acre Area Adjacent to the Port Arthur Hurricane Flood Protection Levee, Jefferson County, Texas.
- 2. The proposed site consists of three ponded areas that have fringe wetlands. The history of the ponds is unclear, but it appears they were a part of a Solid Waste Management Unit sometime in the past. The ponds onsite are located outside of the 100-year floodplain and are separated from the nearest water by two levees, including the Port Arthur Hurricane Flood Protection Levee. The ponds do not have a significant nexus to interstate or foreign commerce.
- 3. This is an approved jurisdictional determination.

DETERMINATIONS OF NO JUSRIDCTION FOR ISOLATED, NON NAVIGALBE, INTRASTATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGANCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Galveston District

FILE NUMBER: D-18791

REGULATORY PROJECT MANAGER: John Davidson Date: 25 July 2006

PROJECT REVIEW/DETERMINATION COMPLETED: In the office: Y(Y/N)

Date: 25 July 2006

At the project Site: N(Y/N)

PROJECT LOCATION INFORMATION:

State: Texas
County: Harris

Center Coordinates of Site by Latitude & Longitude Coordinates

Approximate Size of Site/Property (Including Uplands & in Acres)

29-37-45.1678 N; 95-11-12.0266 W
6 Acres

Approximate Size of Site/Property (Including Uplands & in Acres)

Name of Waterway or Watershed

6 Acres

Buffalo Bayou watershed

SITE CONDITIONS:

Type of Aquatic	0-1 ac	1-3 ac	3-5 ac	5-10	10-25	25-50	> 50	Linear	Unknown
Resources ¹				ac	ac	ac	ac	Feet	
Lake									
River									_
Stream									
Dry Wash									
Mud Flat									
Sand Flat									1
Wetlands	X			_					
Slough									
Prairie Pothole									
Wet Meadow									
Playa Lake	_								
Vernal Pool									
Natural Pond			1	_					
Other Water (Identify									
Type)									

¹Check appropriate boxes that best describe type of isolated, non-navigable, intrastate water present and best estimate for size for non-iurisdictional aquatic resource area.

2	If Known		If Unknown Use Best Professional Judgment				
Migratory Bird Rule Factors ²	Yes	No	Predicted to Occur	Not Expected to Occur	Not able to Make Determination		
Is or would be used as habitat by birds protected by Migratory Bird Treaties?			Х				
Is or would be used as habitat by other migratory birds that cross state lines?			Х				
Is or would be used as habitat for endangered species?					Х		
Is used to irrigate crops sold in interstate commerce				Х			

²Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resources area.

TYPE OF DETERMINATION:

PRELIMINARY _ or APPROVED X

ADDITIONAL INFORMATION SUPPORTING NJD: The tract contains wetlands located above the 100-year floodplain that do not have a direct hydrologic surface connection to the unnamed tributary. These wetlands are isolated with no known nexus to interstate commerce and therefore, are not waters of the United States.

DETERMINATIONS OF NO JUSRIDCTION FOR ISOLATED, NON NAVIGALBE, INTRASTATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGANCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE:

CESWG

FILE NUMBER:

D-18822

REGULATORY PROJECT MANAGER:

Doug Boren

Date:29 August

2006

PROJECT REVIEW/DETERMINATION COMPLETED: In the office: Y(Y/N)

Date: 29 August 2006

At the project Site: Y(Y/N)

Date:01 August 2006

PROJECT LOCATION INFORMATION:

State:

County:

Texas Harris

Center Coordinates of Site by Latitude & Longitude Coordinates Approximate Size of Site/Property (Including Uplands & in Acres) 29° 43' 42"N, 95° 03' 03"W (NAD83) 11 mile pipeline right-of-way

Name of Waterway or Watershed

North Galveston Bay

SITE CONDITIONS:

Type of Aquatic	0-1 ac	1-3 ac	3-5 ac	5-10	10-25	25-50	> 50	Linear	Unknown
Resources				ac	ac	ac	ac	Feet	
Lake									
River									
Stream									
Dry Wash									
Mud Flat							_		
Sand Flat									
Wetlands		X							
Slough									
Prairie Pothole									
Wet Meadow									
Playa Lake									
Vernal Pool									
Natural Pond									
Other Water (Identify									
Type)									

Check appropriate boxes that best describe type of isolated, non-navigable, intrastate water present and best estimate for size for non-

jurisdictional aquatic resource area.

Minuston Dind Bule Feetons ²	If Kı	nown	If Unknown Use Best Professional Judgment				
Migratory Bird Rule Factors ²	Yes	No	Predicted to Occur	Not Expected to Occur	Not able to Make Determination		
Is or would be used as habitat by birds protected by Migratory Bird Treaties?					X		
Is or would be used as habitat by other migratory birds that cross state lines?					X		
Is or would be used as habitat for endangered species?					X		
Is used to irrigate crops sold in interstate commerce					X		

²Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resources area.

TYPE OF DETERMINATION: PRELIMINARY X or APPROVED _ ADDITIONAL INFORMATION SUPPORTING NJD:Attached

- 1. D-18822, Enterprise GC, L.P., Jurisdictional Delineation Verification for an 11-Mile Pipeline Right-of-Way, Harris and Chambers Counties, Texas.
- 2. There are four isolated wetland areas located on the reviewed tract of land. The wetland areas are depressional areas along the existing pipeline right-of-way (ROW). The wetland areas do not have a direct hydrologic connection to the surface tributary system and are located outside of the 100-year floodplain. The wetlands do not have a nexus to interstate or foreign commerce. The wetlands simply collect precipitation for long enough to exhibit the three criteria of a wetland. The discharge of dredged or fill material into these wetlands will not have a significant impact on a navigable water of the United States. The impacts are temporary since the pipeline ROW will be restored after the installation of the new pipeline.
- 3. This is a preliminary jurisdictional determination.

DETERMINATIONS OF NO JUSRIDCTION FOR ISOLATED, NON NAVIGALBE, INTRASTATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGANCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE:

Galveston District

FILE NUMBER:

D-18845

REGULATORY PROJECT MANAGER:

John Davidson

Date: 12 Aug. 2006

PROJECT REVIEW/DETERMINATION COMPLETED: In the office: Y(Y/N)

Date: 12 August 2006

At the project Site: N(Y/N)

PROJECT LOCATION INFORMATION:

State: County:

<u>Texas</u> <u>Harris</u>

Center Coordinates of Site by Latitude & Longitude Coordinates Approximate Size of Site/Property (Including Uplands & in Acres) 29-32-52.7198 N; 95-8-6.4998 W

ze of Site/Property (Including Uplands & in Acres)

1.6 Acres

Name of Waterway or Watershed

Clear Creek/Galveston Bay watershed

SITE CONDITIONS:

Type of Aquatic	0-1 ac	1-3 ac	3-5 ac	5-10	10-25	25-50	> 50	Linear	Unknown
Resources ¹			Sival	, ⊊ac ⊥	ac	ac	ac	Feet	
Lake									
River									
Stream									
Dry Wash									
Mud Flat									
Sand Flat									1
Wetlands	X								
Slough									
Prairie Pothole									
Wet Meadow									
Playa Lake									
Vernal Pool									
Natural Pond									
Other Water (Identify									
Type)									

¹Check appropriate boxes that best describe type of isolated, non-navigable, intrastate water present and best estimate for size for non-jurisdictional aquatic resource area.

2	If K	iown	If Unknown Use Best Professional Judgment					
Migratory Bird Rule Factors ²	Yes	No	Predicted to Occur	Not Expected to Occur	Not able to Make Determination			
Is or would be used as habitat by birds protected by Migratory Bird Treaties?			Х					
Is or would be used as habitat by other migratory birds that cross state lines?			Х					
Is or would be used as habitat for endangered species?					Х			
Is used to irrigate crops sold in interstate commerce				X				

²Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resources area.

TYPE OF DETERMINATION:

PRELIMINARY or APPROVED X

ADDITIONAL INFORMATION SUPPORTING NJD: The tract contains wetlands located above the 100-year floodplain that do not have a direct hydrologic surface connection to the unnamed tributary. These wetlands are isolated with no known nexus to interstate commerce and therefore, are not waters of the United States.

DETERMINATIONS OF NO JUSRIDCTION FOR ISOLATED, NON NAVIGALBE, INTRASTATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGANCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE:

CESWG

FILE NUMBER:

D-18852

REGULATORY PROJECT MANAGER:

Doug Boren

Date: 07 September

2006

PROJECT REVIEW/DETERMINATION COMPLETED: In the office: Y(Y/N)

Date: 07 September 2006
Date: 05 September 2006

At the project Site: Y(Y/N)

PROJECT LOCATION INFORMATION:

State:

County:

Texas Harris

Center Coordinates of Site by Latitude & Longitude Coordinates Approximate Size of Site/Property (Including Uplands & in Acres) 29° 42' 28"N, 95° 08' 42"W (NAD83) 200 acres

Name of Waterway or Watershed

Buffalo-San Jacinto

SITE CONDITIONS:

Type of Aquatic Resources ¹	0-1 ac	1-3 ac	3-5 ac	5-10	10-25	25-50	> 50	Linear	Unknown
Resources ¹				ac	ac	ac	ac	Feet	
Lake									
River									
Stream									
Dry Wash									
Mud Flat									
Sand Flat									
Wetlands			X						
Slough									
Prairie Pothole									
Wet Meadow									
Playa Lake									
Vernal Pool									
Natural Pond									
Other Water (Identify									
Type)									

¹Check appropriate boxes that best describe type of isolated, non-navigable, intrastate water present and best estimate for size for non-jurisdictional aquatic resource area.

Minute Piel P. I. France ²	If Kı	nown	If Unknown Use Best Professional Judgment					
Migratory Bird Rule Factors ²	Yes	No	Predicted to Occur	Not Expected to Occur	Not able to Make Determination			
Is or would be used as habitat by birds protected by Migratory Bird Treaties?					Х			
Is or would be used as habitat by other migratory birds that cross state lines?					X			
Is or would be used as habitat for endangered species?					X			
Is used to irrigate crops sold in interstate commerce					X			

²Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resources area.

TYPE OF DETERMINATION: PRELIMINARY \underline{X} or APPROVED _ ADDITIONAL INFORMATION SUPPORTING NJD:Attached

- 1. D-18852, Land Development Company, Ltd., Jurisdictional Determination for a 200-Acre Tract, Southeast of the Highway 225 and Beltway 8 Intersection, Harris County, Texas.
- 2. There was one isolated wetland area delineated by the applicant's consultant. A site visit was conducted on 05 September 2006 and there were more wetland areas located on the proposed tract of land that were not delineated by the consultant. At the time of the site visit, a data point was taken of one of the areas that appeared to be a wetland using the signatures on the aerial photograph. The area met the three criteria and areas with the same signature were assumed to be wetlands also. The Corps did not delineate the additional wetland areas. During the site visit, the Corps made a determination that the additional wetland areas are not located within the 100-year floodplain, nor do they have a surface hydrologic connection to a water of the United States or a nexus to interstate commerce, therefore, they are considered isolated.

The acreages of the isolated wetlands on the property were estimated from the aerial photograph signatures.

3. This is a preliminary jurisdictional determination.

DETERMINATIONS OF NO JUSRIDCTION FOR ISOLATED, NON NAVIGALBE, INTRASTATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGANCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE:

CESWG

FILE NUMBER:

D-18853

REGULATORY PROJECT MANAGER:

Doug Boren

Date: 28 September

2006

PROJECT REVIEW/DETERMINATION COMPLETED: In the office: Y(Y/N)

At the project Site: Y(Y/N)

Date: 27 September 2006

Date: 14 September 2006

PROJECT LOCATION INFORMATION:

State:

County:

Center Coordinates of Site by Latitude & Longitude Coordinates Approximate Size of Site/Property (Including Uplands & in Acres)

Name of Waterway or Watershed

Texas

Harris

30° 06' 23"N, 95° 32' 05"W (NAD83)

107 acres Spring

SITE CONDITIONS:

Type of Aquatic	0-1 ac	1-3 ac	3-5 ac	5-10	10-25	25-50	> 50	Linear	Unknown
Resources				ac	ac	ac	ac	Feet	
Lake									
River									
Stream									
Dry Wash									
Mud Flat									
Sand Flat									
Wetlands			X						
Slough									
Prairie Pothole									
Wet Meadow									
Playa Lake									
Vernal Pool									
Natural Pond									
Other Water (Identify									
Type)									

1 Check appropriate boxes that best describe type of isolated, non-navigable, intrastate water present and best estimate for size for nonjurisdictional aquatic resource area.

Min to Bi IB to E to 2	If Kı	nown	If Unknown Use Best Professional Judgment					
Migratory Bird Rule Factors ²	Yes	No	Predicted to Occur	Not Expected to Occur	Not able to Make Determination			
Is or would be used as habitat by birds protected by Migratory Bird Treaties?					X			
Is or would be used as habitat by other migratory birds that cross state lines?					X			
Is or would be used as habitat for endangered species?					X			
Is used to irrigate crops sold in interstate commerce					X			

²Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resources area.

TYPE OF DETERMINATION:

PRELIMINARY X or APPROVED _

ADDITIONAL INFORMATION SUPPORTING NJD: Attached

. .

- 1. D-18853, ESA Specialists of America, Jurisdictional Determination for a 107-Acre Root Road Tract, Harris County, Texas.
- 2. The project site contains approximately 3 acres of wetlands. The wetlands are not contiguous, bordering, or neighboring a water of the United States. The wetlands are located outside of the 100-year floodplain and do not have a nexus to interstate or foreign commerce. There is one wetland approximately 2.5 acres on-site. The wetland area was mapped as a pond on the historic topographic maps. The site most likely was a stock pond. The area has been used for cattle in the past, there was another stock pond on the property, and the area was on top of a hill. The history of the area was unclear, but since the pond area is now a wetland, it has been included in the acreage total for the isolated wetland areas on-site.
- 3. This is a preliminary jurisdictional determination.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

PROJECT REVIEW/DETERM	LE NUMBER: GULATORY PROJECT MANAGER: OJECT REVIEW/DETERMINATION COMPLETED: In the office (Y/N): At project site (Y/N):								Date: 23 August 2006 Y Date: 23 August 2006 N Date:			
PROJECT LOCATION INFORMATION: State: To County: H Center coordinates of site by latitude & longitudinal coordinates: 20								o 1.2 N; 98-9-	-46.6			
Approximate size of s Name of waterway or	ite/prope	rty (inclu	_				9 acres	•				
SITE CONDITIONS:												
Type of aquatic resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25	ac 25	5-50 ac	> 50 ac	Linear feet	Unkı	nown	
Lake		\boxtimes										
River												
Stream												
Dry Wash												
Mudflat												
Sandflat]					
Wetlands												
Slough												
Prairie pothole												
Wet meadow												
Playa lake												
Vernal pool												
Natural pond									_			
Other water (identify type)												
¹ Check appropriate boxes that best jurisdictional aquatic resource are	¹ Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.											
Migratory Bird Rule Factors1:				If K	nown	Γ		If Unk	cnown			
							U:	se Best Profess	sional Judgm			
				Yes	No	Predicted to Occur		Not Expected Occur		able To ermina		
Is or would be used as habitat for t Migratory Bird Treaties?	_											
Is or would be used as habitat by o cross state lines?	ther migra	atory birds	that									
Is or would be used as habitat for e	endangere	d species?										
Is used to irrigate crops sold in inte												
¹ Check appropriate boxes that best non-navigable, intra-state aquatic			or appli	cability of tl	he Migratory	y Bird R	ule to a	pply to onsite,	non-jurisdict	ional, i	solated,	
TYPE OF DETERMINATION	I:	Pr	elimin	ary 🗌 o	r Approv	ed 🛚						
ADDITIONAL INFORMATION SUPPORTING NJD (required): 1. Site/Environmental Conditions Total Size of Non-Jurisdictional Water Feature Does water feature extend off of project site? Y/N Would proposed discharge fill entire water feature? Y/N Number of water features determined Non-Jurisdictional Other relevant information												
2. Rationale for determination	_				assess pote	ential n	avigatio	on or intersta	ate commerc	e		

3. Do waters of the U.S. exist on the site? Y/N N If Yes, approximate size of jurisdictional water(s):

connections: Isolated, non-navigable, intrastate water, which has no known nexus to interstate commerce.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: FILE NUMBER: D-18893 Site 2 REGULATORY PROJECT MANAGER: Mark Pattillo Date: 23 August 2006 PROJECT REVIEW/DETERMINATION COMPLETED: In the office (Y/N): At project site (Y/N): PROJECT LOCATION INFORMATION: State: County: Center coordinates of site by latitude & longitudinal coordinates: Approximate size of site/property (including uplands & in acres): Name of waterway or watershed: CONDITIONS: Galveston District D-18893 Site 2 Date: 23 August 2006 Y Date: 23 August 2006 N Date: Y Date: 23 August 2006 N Date: Y Date: 23 August 2006 N Date: 10 acres La Sal Vieja											
SITE CONDITIONS: Type of aquatic resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25	ac 25-	-50 ac	> 50 ac	Linear	Unknown	
Lake					\neg	- -	1		feet		
River	\vdash		H	┼∺-	- -		 			H	
Stream		 	 -	 				 			
Dry Wash	Ħ		 	$+ \Box$							
Mudflat	H	╁Ѭ┈	 -				1	 	_	H	
Sandflat	Ħ	H	H	十一	ᅥᆏ	<u> </u>	<u> </u>			<u> </u>	
Wetlands		<u> </u>	15			<u>_</u>	i			<u> </u>	
Slough				一一			ĺ				
Prairie pothole	Ħ_		1百					Ħ			
Wet meadow	Π						i –	Ħ		Ħ	
Playa lake							i			<u> </u>	
Vernal pool							i i				
Natural pond	Ħ	Ħ		一			i				
Other water (identify type)							j				
¹ Check appropriate boxes that bes jurisdictional aquatic resource are	t describe a	type of iso	lated, no	n-navigabl	e, intra-state	water pr	esent and	best estimat	te for size of 1	10n-	
Migratory Bird Rule Factors1:				If K	Known			1f Unk	nown		
				-	1 2.				ional Judgme		
				Yes	No	Predic to Occ		Occur		ble To Make ermination	
Is or would be used as habitat for l Migratory Bird Treaties?	birds prot	ected by]	\boxtimes	- Innation	
Is or would be used as habitat by o	ther migr	atory bird	s that]	\boxtimes		
Is or would be used as habitat for	endangere	d species?			 	 			\square	_	
Is used to irrigate crops sold in into		<u> </u>		౼	 	 -		- -			
¹ Check appropriate boxes that bes non-navigable, intra-state aquatic	t describe	potential	for applic	ability of t	the Migrator	y Bird Ru	le to apply	y to onsite, r		onal, isolated,	
TYPE OF DETERMINATION: Preliminary or Approved											
ADDITIONAL INFORMATION	ON SUPP	ORTING	G NJD (r	equired):	:						
1. Site/Environmental Conditi	ons T	otal Size	of Non-J	urisdictio	onal Water	Feature		1	,560 acres		
		oes water	feature	extend of	ff of projec	t site?	Y / N	Y			
Would proposed discharge fill entire water feature? Y/N N Number of water features determined Non-Jurisdictional 1 Other relevant information											
2 Patianala for determination	includi	na info	action =c	viewed 4	n geegee not	antial na	vigation	or interete	te commerc	•	

- connections: Isolated, non-navigable, intrastate water, which has no known nexus to interstate commerce.
- 3. Do waters of the U.S. exist on the site? Y/N N If Yes, approximate size of jurisdictional water(s):